

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE:

PAUL A. IONADI,

Debtor.

*

*

*

*

*

NORTHWEST BANK F/K/A
NORTHWEST SAVINGS BANK,

*

*

*

Movant,

*

*

*

*

PAUL A. IONADI and RONDA J.
WINNECOUR, CHAPTER 13 TRUSTEE

*

Respondents.

*

CONSENT ORDER OF COURT

Upon consideration of Movant's *Amended* Motion for Relief from the Automatic Stay (the "Motion"), and upon the consent of Northwest Bank and Debtor, it is hereby **ORDERED**, **ADJUDGED and DECREED** as follows:

1. The hearing on the Motion shall be continued to February 8, 2023 at 9:00am;
2. On or before February 1, 2023, Northwest Bank's post-petition arrears shall be paid current, which as of February 1, 2023 will equal \$5,934.89 and shall satisfy the post-petition payments due for November of 2022 (partial), December of 2022 and January of 2023. Debtor shall be responsible for submitting enough funds, including Trustee fees, to the Trustee in time so that the post-petition arrears are paid current to Northwest Bank by February 1, 2023.
3. Northwest Bank's counsel shall file a status report by February 1, 2023 stating

whether it has received the post-petition arrears owing to the Bank for the payments that are due for November of 2022 (partial), December of 2022 and January of 2023;

4. On or before July 1, 2023, Debtor shall pay sufficient funds to the Trustee to bring the confirmed Plan (see Doc. 46) current;
5. In addition to the extra payments that are needed to cure the post-petition arrears to Northwest Bank and the arrears under the Plan, Debtor shall be required to continue making his ongoing Plan payments to the Trustee by the 30th day of the month, beginning with the December of 2022 payment;
6. In the event the Debtor fails to make his ongoing Plan payments by the 30th day of each month, then Northwest Bank shall issue a written Notice of Default to the Debtor and his counsel regarding the Plan default and requiring that said default be cured within ten (10) days of the Notice of Default;
7. If Debtor fails to pay the delinquent Plan payment within ten (10) days of the date of the Notice of Default, Northwest Bank shall be immediately, and without any further hearing or motion, be entitled to relief from the automatic stay with respect to the real estate and improvements located at 2513 Acorn Court, Wexford, PA 15090, including any co-debtor stay, and proceed with foreclosure of the same; and
8. If Debtor cures the Plan arrears by July 1, 2023 and remains current on his ongoing Plan payment during that time, including making the Plan payment that becomes due for June of 2023, then Northwest shall withdraw its Motion without prejudice within ten (10) days, and the ten (10) day Notice of Default and relief from the automatic stay provisions contained herein shall terminate.

By the Court:

Judge Gregory L. Taddonio

The entry of this Order was consented to by:

| | |
|---|--|
| <p>McGRATH McCALL, P.C.</p> <p>By: <u>/s/ Preston D. Jaquish</u> Preston D. Jaquish Esquire PA I.D. No. 316463 Four Gateway Center, Suite 1040 444 Liberty Avenue Pittsburgh, PA 15222 pjaquish@lenderlaw.com Telephone (412) 281-4333 Facsimile (412) 281-2141 Attorneys for Northwest Bank</p> | <p>By: <u>/s/ David Valencik</u> David Valencik, Esquire PA I.D. No. 938 Penn Avenue, Suite 501 Pittsburgh, PA 15222 dvalencik@c-vlaw.com Telephone (412) 232-0930 Attorney for Debtors</p> |
| <p>CHAPTER 13 TRUSTEE</p> <p>By: <u>/s/ James Warmbrodt</u> James Warmbrodt, Esquire Attorney for Trustee</p> | |